

THIRD TAXING DISTRICT

REGULAR MEETING

JANUARY 27, 2003

ATTENDANCE: David Brown, Chairman; Stephen Feinstein; Paul Coggin

STAFF: Attorney Lawrence Dennin; Ron Schofield, General Manager;
Kim Snow, Accountant

OTHERS: Joe Cristino; Ray Mitchell

The chairman called the meeting to order at 7.05pm.

PUBLIC COMMENT

There were no comments from the public this evening.

APPROVAL OF THE MINUTES OF OCTOBER 7, 2002

SPECIAL COMMISSION MEETING

Mr. Brown reported that they had some problems with this set of minutes, however if they were not resolved by the next meeting, he will re-submit them to be voted upon.

APPROVAL OF THE MINUTES OF NOVEMBER 18, 2002

REGULAR COMMISSION MEETING

**** MR. COGGIN MOVED APPROVAL OF THE MINUTES AS AMENDED.**

**** MR. BROWN SECONDED.**

The following corrections were made:

Page two, first paragraph, at the end of the first line specify that “he” is Mr. Orris.

Page two, second paragraph delete the s at the end of the word suggestions.

Page seven, under General Electrical Infrastructure Update, at the end of the first paragraph add “based on Mr. Cristino’s information”.

**** MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE MINUTES OF DECEMBER 20, 2002

SPECIAL COMMISSION MEETING

Mr. Feinstein stated that they had received a set of minutes in their packet, however the minutes they were voting upon this evening were a different set distributed by Mr. Scofield. Mr. Brown replied that the minutes they were voting upon were taken from his taping of the meeting.

There was discussion about the comparison of the two sets of minutes.

**** MR. BROWN MOVED TO TABLE THE MINUTES OF DECEMBER 20,2003 UNTIL RECEIVING A VERBATIM TRANSCRIPTION FROM TELESCO SECRETARIAL SERVICES.**

**** MR. COGGIN SECONDED.**

**** MOTION PASSED TWO VOTES IN FAVOR, ONE ABSTENTION (MR. FEINSTEIN).**

DISCUSSION AND APPROVAL OF

LINEMAN POSITION APPLICATIONS

Mr. Feinstein stated that this item should be discussed during executive session, as it is a personnel matter.

Mr. Brown asked for the opinion of Attorney Dennin who agreed that it should be discussed during executive session.

**** MR. FEINSTEIN MOVED TO TABLE THE ITEM OF LINEMAN POSITION APPLICATIONS TO THE NEXT SPECIAL MEETING DURING EXECUTIVE SESSION.**

**** MR. BROWN SECONDED.**

**** MOTION PASSED TWO VOTES IN FAVOR, ONE ABSTENTION (MR. COGGIN).**

BIDS FOR EMERGENCY GENERATOR REPLACEMENT

AT 2 SECOND STREET

Mr. Brown said the generator will only go in if somebody is there to turn it on and will only go off if someone is there to turn it off. In the case of an emergency and taking into consideration the computers and software it needs constant electricity and that is where the new generator comes in. He asked Mr. Cristino and Mr. Mitchell for their input.

Mr. Cristino said the current generator is a single phase unit, it provides for minimum light, garage doors and fuel pumps and stated that it is not big enough; he added that it is a generator that would be suitable in a residential location. He stated that he had discussed this with Mr. Mitchell and they had sent out requests for bids; in response to this they received three responses (the details of which were included in the back-up material). Mr. Cristino stated that his recommendation was Eleck & Salvato Electric, Inc. at \$41,729 as they were the lowest bidder and had provided everything specified.

Mr. Brown asked if this price included everything. Mr. Cristino replied that it did and gave a break down of the details included in the contract.

Mr. Feinstein asked (approximately) how many times a year the generator is used. Mr. Cristino replied that it has been used four to five times a year; however the last time it was required, just over a week ago, there had been some difficulty starting the generator.

Mr. Coggin asked if the old generator could be sold or donated. Mr. Cristino said he would look into this

Mr. Feinstein asked what the life expectancy is of the existing generator. Mr. Mitchell replied that it was over and would cost a considerable amount of money to keep it going.

Mr. Brown questioned the price of moving the old generator. Mr. Cristino remarked that the price for removal of the old generator was included in the quote provided by Eleck & Salvato Electric, Inc. He then followed up with details on how the new one would be installed, its position and that it would be considerably quieter.

Mr. Brown asked how long the computers would have to go down for while the new generator is installed and when this would happen. He also suggested speaking with Doug Williams about this. Mr. Cristino explained that the computers would have to go off line for six to seven hours.

Mr. Feinstein asked where the cost of the new generator fitted into their budget.

Mr. Brown suggested there were two sources and said it was affordable.

Mr. Coggin asked Mr. Snow if the item would be taken out of the capital budget and also if the new generator would have a seven to twelve year depreciation impact because if this was the case it would have only a modest impact on the budget. Mr. Snow agreed.

Mr. Brown confirmed with Mr. Scofield that the funds were available at the current time.

**** MR. COGGIN MOVED TO ACCEPT THE BID BY ELECK & SALVATO ELECTRIC, INC. FOR A PRICE NOT TO EXCEED \$45,000 TO REPLACE THE EXISTING GENERATOR.**

**** MR. BROWN SECONDED.**

Mr. Brown asked why Mr. Coggin had made the motion for \$45,000. Mr. Coggin replied that in his past experience it had been beneficial to build in a contingency of 5%-10%.

Attorney Dennin asked if the moving of the generator required any special permitting from the DEP. Mr. Cristino stated that it did not.

**** MR. FEINSTEIN MOVED TO AMEND THE MOTION BY CHANGING THE AMOUNT TO \$41,729.**

Mr. Feinstein explained that it defeated the purpose of asking for three bids if they were going to approve a general amount; he added that he saw no reason to build in error.

Mr. Coggin asked for the opinion of Mr. Cristino and Mr. Mitchell. Mr. Mitchell agreed with Mr. Feinstein in that the vendor should stick to the price quoted. Mr. Cristino remarked that he had had several lengthy telephone conversations with a representative from Eleck & Salvato Electric, Inc. who had explained each aspect of the procedure/purchase; and in his opinion Mr. Cristino thought it would be fair to make the motion for the price quoted.

**** MR. COGGIN SECONDED THE MOTION AS AMENDED.**

**** MOTION PASSED UNANIMOUSLY AS AMENDED.**

BIDS FOR T-3 TRANSFORMER

Mr. Mitchell stated that there was nothing wrong with the transformer itself, but explained that it

contained PCB's.

Mr. Coggin referred to the quote in the packet from TSI, point 4 and questioned the process suggested. Mr. Mitchell explained the procedure.

Mr. Brown said he understood the concern and asked how badly does this have to be done.

Mr. Mitchell said the transformer is not leaking and could keep going for years but they could not take the risk of an accident, as the effects would be disastrous and added the replacement cost of the transformer would be in the region of \$250,000.

There was some discussion about the three quoted provided in the back-up material.

Mr. Coggin asked Mr. Mitchell what his recommendation would be regarding the three quotes received. Mr. Mitchell suggested TSI and explained that he had chosen this company because he had used them in the past.

**** MR. FEINSTEIN MOVED TO APPROVE THE BID FROM TSI TO PERFORM PCB REMOVAL AND REFILLING AT A COST OF \$17,750.**

**** MR. COGGIN SECONDED.**

Mr. Coggin wished to note for the record that the recommendation had come from Mr. Mitchell.

Mr. Brown went through the process of removal of the oil and asked when they reload it with oil, it is

tested again and asked what guarantee they have that it will meet the correct standards. Mr. Cristino suggested that the Commissioners check the contract to ensure this included.

Mr. Brown recommended that they amend the motion to ensure the new oil meets the required standards.

**** MR. FEINSTEIN WITHDREW HIS ORIGINAL MOTION**

**** MR. FEINSTEIN MOVED THAT THEY APPROVE TSI TRANSFORMER SERVICE INCORPORATED FOR THE REMOVAL, DISPOSAL AND COMPLIANCE WITH ALL PCB OIL LAW REGULATION OF THE T-3 TRANSFORMER FOR THE SUM OF \$17,750.**

**** MR. BROWN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

BIDS FOR ACCOUNTING SERVICE FOR SOME OF THE

DISTRICT FINANCIAL WORK

Mr. Scofield stated as a request from an earlier meeting they had requested the three estimates/bids on the financial work to be done. Essentially it would be work that he (Mr. Scofield) would not be doing such as the monthly close out and report to the Commission. He said it would also include direction, advice and preparing the 941 quarterly reports. Mr. Scofield stated that he had received three bids; the lowest is from Accurate Accounting (Mr. Snow) at \$27,000. He said based upon this and because Mr. Snow has been working on the fiscal year 2001/02 and has already undertaken a lot of the research for this he recommended Accurate Accounting.

Mr. Coggin asked Mr. Snow what previous experience he had, specifically with other municipalities.

Mr. Snow said he has no worked with other municipalities but pointed out that he has worked with many small businesses helping them to get organized and take control of their financial situation. He added that he is a CPA and said he has done a significant amount of review and analysis in the past.

Mr. Feinstein asked Mr. Scofield where he had come up with the sum of \$27,00 as the quote provided was based upon hourly rates. Mr. Scofield said this was based on twenty-five hours a month.

Mr. Coggin said he would feel more comfortable adding a monthly cap on it and to retain somebody through a fixed period of time and then review the situation.

Mr. Scofield pointed out that a disadvantage to using a new firm is that Mr. Snow has been working with them for some time working previous years so he is familiar with the system and the research.

Mr. Snow suggested it would be beneficial for him to provide an engagement letter outlining the scope of work, hours required etc based on a monthly average.

**** MR. COGGIN MOVED TO RETAIN MR. SNOW AT THE HOURLY RATE STATED IN HIS LETTER DATED SEPTEMBER 19, 2002 WITH A CAP OF \$2000 PER MONTH.**

**** MR. BROWN SECONDED.**

Mr. Brown asked Mr. Snow if that was a realistic cap. Mr. Snow replied that it might become restrictive may be around audit time.

** MR. COGGIN MOVED TO AMEND THE MAIN MOTION BY ADDING TO THE STATEMENT “UNLESS AGREED OTHERWISE WITH THE COMMISSION”.

** MR. BROWN SECONDED.

** MOTION AS AMENDED PASSED UNANIMOUSLY.

ACCOUNTING/BUDGET DISCUSSION

The Commissioners went into recess at 8.30pm and reconvened at 8.35pm.

Mr. Brown said he asked this to be added to the agenda after working with Mr. Scofield and Mr. Snow and coming to the understating that they may not be able to provide an audited report for their annual meeting.

Mr. Snow said they were unable to find any raw data since June 30, 2001 and what needs to be done has not been done. Also there were requests from auditors on information required for previous years and said they are not even complete for 2001. Mr. Snow said he has been trying to figure out the system used in the past and had realized that no information has been reported to the Commission on a regular basis; he suggested that become part of the objective.

Mr. Scofield proposed a monthly report to the Commission that shows income and expense for that current month, a variance report. Mr. Snow added that this way they would get problems flagged.

Mr. Coggin said by retaining the services of Mr. Snow would improve the situation going forward.

There was some discussion about presenting an un-audited/draft report.

APPA LEGISLATIVE RALLY (FEBRUARY 9-12)

Mr. Brown stated that he has not participated in this in the past, however he felt that it was important for all Commissioners to attend.

Mr. Coggin said he would consider the dates and would try to attend.

Mr. Feinstein stated that he would be attending and gave his schedule. He added that all information/ events could be accessed online.

CGI COMMUNICATION, INC., BANNER REQUEST

Mr. Brown stated that he had tried to contact the Mayor with regard to this but had been unsuccessful. He continued to say that he had been in communication with CGI who had informed him that they could include the Third Taxing District logo at the bottom of the new banners at no cost to them. He added that he could see no value in doing this.

Mr. Coggin stated without knowing the theme it was hard to make a decision.

**** MR. BROWN MOVED TO CALL MR. BUONO AND SAY THEY ARE NO WILLING TO BREAK STATE STATUTE BY PUTTING THINGS ON UTILITY POLES.**

Mr. Brown said Attorney Dennin would draft a letter for them.

** MR. FEINSTEIN SECONDED.

Attorney Dennin said he would include a request in the letter to remove what is currently on the poles. Mr. Brown agreed but to follow up with a telephone call.

** MOTION PASSED UNANIMOUSLY.

APPOINTMENT OF STEPHEN FEINSTEIN TO THE APPA POLICY

MAKERS COUNCIL AND APPROVAL OF TRAVEL EXPENSES

Mr. Feinstein said he was pleased and honored to have been nominated to fill a vacancy on the APPA Policy Makers' Council. Mr. Feinstein read the letter. He added that by filling this position it would include attending two meetings a year one in the winter, one in the winter both in Washington DC and requested that his travel expenses for the meeting in the summer be met.

** MR. BROWN MOVED TO APPROVE TRAVEL EXPENSES FOR STEPHEN FEINSTEIN TO ATTEND THE SECOND MEETING IN WASHINGTON DC.

** MR. COGGIN SECONDED.

** MOTION PASSED UNANIMOUSLY.

RATIFICATION OF UNION LABOR CONTRACT

Mr. Brown stated that the agreement had been brought forward tonight in its final form for signatures by Commissioners.

Mr. Coggin referred to a letter from Mr. Hodgson pertaining to clarification of language on page 22. Mr. Brown said another condition by Mr. Hodgson was that the percentages be deleted. Mr. Scofield checked the document and they had not been removed.

There was discussion regard the discrepancies of the contract. Mr. Brown confirmed he would telephone Mr. Hodgson in the morning to discuss the matter further.

** MR. COGGIN MOVED TO TABLE THE ITEM PENDING MR. SCOFIELD CONTACTING PAUL WALLIS TO RESOLVE OUTSTANDING QUESTIONS.

** MR. BROWN SECONDED.

** MOTION PASSED UNANIMOUSLY.

AUTOMATED METER READING BIDS

** MR. FEINSTEIN MOVED TO TABLE THIS ITEM TO THE NEXT SPECIAL MEETING.

** MR. BROWN SECONDED.

** MOTION PASSED UNANIMOUSLY.

** MR. COGGIN MOVED TO ADD AN ITEM TO THE AGENDA TO BE DISCUSSED DURING EXECUTIVE SESSION.

** MR. BROWN SECONDED.

** MOTION PASSED TWO VOTES IN FAVOR, ONE ABSTENTION (MR. FEINSTEIN).

** MR. BROWN MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS A RESPONSE RECEIVED FROM GEORGE LEARY.

** MR. COGGIN SECONDED.

** MOTION PASSED UNANIMOUSLY.

The Commissioners and Attorney Dennin went into executive session at 9.40pm and reconvened into public session at

ADJOURNMENT

Respectfully submitted,

Kate Kye

Telesco Secretarial Services